

Article - State Government

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§5–106.

(a) If the Treasurer temporarily is unable or unavailable to carry out the duties of office, an acting treasurer shall have the powers and duties of the office, as provided in this section.

(b) (1) If the Treasurer gives the presiding officers of the General Assembly and the Chief Deputy Treasurer written notice of a temporary inability or unavailability, the Chief Deputy Treasurer shall serve as an acting treasurer unless the presiding officers appoint another individual as acting treasurer and give the Chief Deputy Treasurer written notice of the appointment.

(2) An acting treasurer shall serve under this subsection:

(i) on and after the date that the Treasurer sets in the notice;
and

(ii) until the Treasurer gives the presiding officers and the acting treasurer written notice that the Treasurer is able to carry out the duties.

(c) (1) If the Treasurer has not given notice, but the presiding officers of the General Assembly make a formal, written determination of a temporary inability or unavailability of the Treasurer, the officers may appoint an acting treasurer.

(2) The acting treasurer shall serve under this subsection:

(i) on and after the date of the appointment; and
(ii) until the presiding officers jointly determine and give the Treasurer and the acting treasurer written notice that the Treasurer is able to carry out the duties.

(d) The Court of Appeals has exclusive original jurisdiction, on petition of the presiding officers of the General Assembly, the Treasurer, or the acting treasurer, to determine any issue that arises under this section and to pass any appropriate order.

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